

REMARKS/ARGUMENTS

Claims 69-71, 73, 75-80, and 82-89 are pending in the above-identified patent application.

Applicants would like to thank the Examiner for holding a teleconference on November 18, 2004 concerning Applicants' supplemental submission of litigation related documents. During the teleconference, Applicants and Examiner agreed Applicants would submit a supplemental information disclosure statement identifying litigation related documents without filing a request for continued examination. Applicants submitted a supplemental information disclosure statement on November 23, 2004.

Further, pursuant to Applicants' discussion with the Examiner, Applicants enclose terminal disclaimers disclaiming the patent term of U.S. Patent Nos. 5,021,515, 5,049,624, and 5,955,527. Applicants request withdrawal of the rejection of claims 69-71, 73, 75-80, and 82-89 under the judicially created doctrine of obvious-type double patenting over claims 1-58 of U.S. Patent No. 5,021,515, claims 1-11 of U.S. Patent No. 5,049,624, and claims 1-8 of U.S. Patent No. 5,955,527. Applicants submit that the pending claims are now in condition for allowance.

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